

## INSTRUCTIONS FOR COMPLETING DRUG OFFENSE WORKSHEETS

### Worksheet # 1 - DRUG PRISON IN/OUT WORKSHEET

1. **Most Serious Conviction Offense** - The scorer should select only the most serious offense being sentenced at the current sentencing event. Where two or more offenses have the same score, please circle the specific offense scored as the most serious conviction offense on this worksheet. (See General Instructions.)
2. **Number of Prior Adult Felony Convictions** - Count all prior felony convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
3. **Number of Prior Adult Convictions for Misdemeanors or Violations** - Count all prior criminal convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event. Traffic convictions do not count except: Driving Under the Influence, Boating Under the Influence, Leaving the Scene of an Accident, Attempting to Elude Law Enforcement, Driving without a License and Driving While License is Suspended or Revoked.
4. **Prior Incarceration with Sentence Imposed of 1 Year or More** - Count prior prison, jail or Department of Corrections/community corrections sentences where the non-suspended time imposed was one year or greater. Count only sentences that occurred prior to the arrest date(s) of the offense(s) being sentenced.

Notes: This should be counted each time a person enters the prison system, whether or not the person actually *serves* at least a year. As long as the non-suspended portion of the sentence was one year or longer at the time of admission, this should be counted.

This factor is not cumulative. For instance, if a defendant was sentenced to serve two separate non-suspended six month sentences, they should not be counted here. Only count those sentences where the non-suspended time imposed at one sentencing event was at least one year.

5. **Prior Probation or Parole Revocation** - Count prior probation or parole revocations that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event. Only felony probation revocations should be scored.

Note: If the current sentencing event is part of a probation revocation proceeding, this factor should not be scored unless the offender has a prior revocation.

6. **Number of Prior Juvenile Delinquency and Youthful Offender Adjudications (Violation/Misdemeanor/Felony)** - Count all prior juvenile delinquency and youthful offender adjudications that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
7. **Possession/Use of a Deadly Weapon or Dangerous Instrument** - Count this factor if there was a connection other than the mere possession of a weapon between the presence of a deadly weapon (or dangerous instrument) and the commission of any of the offense(s) being sentenced at the current sentencing event. This factor should not be counted if the deadly weapon or dangerous instrument is merely "loot" or proceeds of a sale. For the purposes of

completing the worksheets, a deadly weapon or dangerous instrument shall be defined pursuant to Sections 13A-1-2 and 13A-11-72.

**Most Serious Offense at Conviction Ranking**

Sale/Distribution of Schedule I-V (other than to minor) – 113  
§ 13A-12-211

Sale/Distribution of Marihuana (other than to minor) – 84  
§ 13A-12-211

Unlawful Possession of a Controlled Substance – 71  
§ 13A-12-212

Felony DUI – 42  
§ 32-5a-191(h)

Possession of Marihuana I – 42  
§ 13A-12-213

## Worksheet # 2 - DRUG PRISON SENTENCE LENGTH WORKSHEET

1. **Most Serious Conviction Offense** - The scorer should select only the most serious offense being sentenced at the current sentencing event. Where two or more offenses have the same score, please circle the specific offense scored as the most serious conviction offense on this worksheet. (See General Instructions.)
2. **Number of Additional Felony Convictions (Including Counts)** - The scorer should total all offenses being sentenced other than the most serious offense being sentenced at the present time. In the event of a multi-count indictment, all counts in which the defendant was found guilty or entered a guilty plea should be counted the same as separate convictions.
3. **Number of Prior Adult Felony Convictions** - Count all prior felony convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
4. **Number of Prior Adult Felony Class C Convictions** - Count only the number of prior Class C felony convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.

Note: These offenses should have been scored in # 3 also. These are counted again, because they are statistically significant independent of the total number of adult prior felony convictions.

5. **Prior Incarceration with Sentence Imposed of 1 Year or More** - Count prior prison, jail or Department of Corrections/community corrections sentences where the non-suspended time imposed was one year or greater. Count only sentences that occurred prior to the arrest date(s) of the offense(s) being sentenced.

Notes: This should be counted each time a person enters the prison system, whether or not the person actually *serves* at least a year. As long as the non-suspended portion of the sentence was one year or longer at the time of admission, this should be counted.

This factor is not cumulative. For instance, if a defendant was sentenced to serve two separate non-suspended six month sentences, they should not be counted here. Only count those sentences where the non-suspended time imposed at one sentencing event was at least one year.